

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
King et al.)	Art Unit: 1643
)	
Application No. 07/110,791)	Examiner: Stephen L. Rawlings
)	
Filing Date: October 21, 1987)	Confirmation No. 7373
)	
For: HUMAN GENE RELATED TO BUT)	
DISTINCT FROM EGF RECEPTOR)	
GENE)	

**DECLARATION OF C. RICHTER KING, MATTHIAS H. KRAUS AND
STUART A. AARONSON UNDER 37 C.F.R. § 1.131**

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

BALLARD SPAHR ANDREWS &
INGERSOLL, LLP
Customer No. 36339

Sir:

We, C. RICHTER KING, MATTHIAS H. KRAUS and STUART A. AARONSON

declare as follows:

1. We are the applicants of the above-identified patent application and co-inventors of the subject matter described and claimed therein.

2. Prior to October, 1985 and January, 1986, we reduced the claimed invention to practice as evidenced by our attached publication, King et al., *Science* 229:974-976 (September, 1985) (submitted as an Exhibit in the previously filed Declaration by us). As indicated on page 976, our manuscript was submitted to the editors of the journal, *Science* on April 22, 1985 and accepted on June 3, 1985. The inventive activities embodied in the King et al. publication all took place in the United States.

3. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that any such false statement may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: C. Richter King

Inventor's Signature: _____ Date: _____

Full Name of Inventor: Matthias H. Kraus

Inventor's Signature: *M. Kraus* Date: 5-27-09

Full Name of Inventor: Stuart A. Aaronson

Inventor's Signature: _____ Date: _____

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Full Name of Inventor: C. Richter King

Inventor's Signature: _____ Date: _____

Full Name of Inventor: Matthias H. Kraus

Inventor's Signature: _____ Date: _____

Full Name of Inventor: Stuart A. Aaronson

Inventor's Signature:  _____ Date: 5/28/09

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Full Name of Inventor: C. Richter King

Inventor's Signature: C. Richter King Date: May 28, 09

Full Name of Inventor: Matthias H. Kraus

Inventor's Signature: _____ Date: _____

Full Name of Inventor: Stuart A. Aaronson

Inventor's Signature: _____ Date: _____